

PATENT

Attorney Docket No. 23842

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

jc595
66/08/99
U.S.
PTO

jc530 U.S. PTO
09/288238
04/08/99

In re Application of:

Alan DRIZEN
Peter ROTHBART
Gary M. NATH

Serial No.: Not yet assigned

Filed: Not yet assigned

For: **TOPICAL DRUG PREPARATIONS**

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Transmittal Letter;
- 2) Filing Form for Continuing U.S. Patent Application;
- 3) Preliminary Amendment;
- 4) Copy of U.S. Parent Application No. 08/796,578 as originally filed;
37 pages of text (specification, claims, abstract);
44 claims;
- 5) Copy of Original Executed Small Entity Statement;
- 6) Copy of Original Executed Declaration of Patent Application with copies of transmittal documents, as filed May 23, 1997, including a check in the amount of \$794.00;
- 7) Copy of Executed Assignment with copies of transmittal documents, as filed on May 23, 1997; and
- 8) Check No. 1116 in the amount of \$698.00.

The Assistant Commissioner is specifically authorized to charge any required fee deficiency under 37 CFR §§ 1.16 or 1.17, or credit any overpayment, to Deposit Account No. 14-0112 in connection with this matter.

Respectfully submitted,

NATH & ASSOCIATES

Date: April 8, 1999

NATH & ASSOCIATES
1030 Fifteenth Street, N.W.
Sixth Floor
Washington, D.C. 20005
Tel: (202) 775-8383
Fax: (202) 775-8396

Gary M. Nath
Gary M. Nath
Reg. No. 26,965
Suet M. Chong
Reg. No. 38,104

1 1/2 Pre Ad

NATH & ASSOCIATES

Gary M. Nath (DC)*

Harold L. Novick (DC, MD)

Suet M. Chong (DC)

Irvin A. Lavine (DC), Retired

Donald M. Sandler (MD), Retired*

Patent, Trademark and Copyright Causes
Unfair Competition, Trade Secrets,
Licensing and Litigation

Attorneys at Law

1030 Fifteenth Street, N.W.

Sixth Floor

Washington, D.C. 20005

TELEPHONE (202) 775-8383

(202) 775-9393

FACSIMILE (202) 775-8396

(202) 822-9409

E-Mail: ip@nathlaw.com

Todd L. Juneau (DC, IL)

Patricia M. Drost (DC, VA)

Gregory B. Kang (NJ, DC)

Michelle L. Hartland (VA)*

Scott F. Yarnell (MD)*

Lee C. Heiman (CA)*

Jerald L. Meyer (VA)*

Paul A. Sacher (MD)*

David R. Murphy (VA)*

Robert G. Lev (DC)†

Alvin E. Tanenholz **

Joshua B. Goldberg**

David H. Milligan**

† Of Counsel

** Registered Patent Agent: not Admitted in DC

FILING FORM

FOR CONTINUING U.S. PATENT APPLICATION

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

1. This is a Request for filing a 37 C.F.R. § 1.53(b)
Continuation of **prior** application:

Serial No. 08/796,578

Filed: February 6, 1997

Entitled: TOPICAL DRUG PREPARATIONS

which is a continuation-in-part of **prior** application:

Serial No. 08/536,750

Filed: September 29, 1995

Entitled: SUSTAINED RELEASE DELIVERY SYSTEM

2. Enclosed for applications under 37 CFR §§ 1.53(b) are:
37 pages of text (specification, claims, abstract)
0 sheets of drawings

3. The **present** application names the following inventor(s):

Alan Drizen

Peter Rothbart

Gary M. Nath

4. Enclosed is a true copy of the prior application as originally filed; amendments (if any) referred to in the oath or declaration filed to complete the prior

aa

PATENT

Attorney Docket No. 23842

application did not introduce new matter. The **Total Filing Fee** is calculated as follows:

- Enter the Amendment filed in the prior patent application on _____ prior to calculating the filing fee.
- Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

(Col 1)		(Col 2)		SMALL ENTITY		NON-SMALL ENTITY	
TOTAL	NUMBER OF CLAIMS FILED	INDEP.	NUMBER OF EXTRA CLAIMS	RATE	FEE	OR RATE	FEE
38	minus 20	7	minus 3	x 9=	\$162	x 22=	\$ 0
				x39=	\$156	x82=	\$ 0
				+380=	\$380	+790=	\$ 0
				+135=	\$XXX	+270=	\$ 0
				TOTAL	\$ 698	OR TOTAL	\$ 0

BASE FILING FEE:
 Multiple Dependent Claims

- Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:
 - was filed in the parent application, and small entity status is still proper and desired;
 - is filed herewith
 - will be filed at a later date.
-

- A check including the above-indicated filing fee is enclosed.
- A Petition for Extension of Time (to keep the parent case pending) is enclosed, with a check including the \$ _____ extension fee.
- Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.
- No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53, together with a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR § 1.16(e).

AA

PATENT

Attorney Docket No. 23842

The prior application is assigned of record to L.A.M. Pharmaceuticals, LLC, the Assignments being recorded on May 21, 1997, on Reel 8515, Frame 0092.

An original executed Declaration is enclosed.

Amend the specification by inserting before the first line the sentence:

aa'
--This application is a continuation application of U.S. patent application Serial No. 08/796,578, filed February 6, 1997, ~~now abandoned~~, which is a continuation-in-part of U.S. patent application Serial No. 08/536,750, the entire contents of both of which are hereby incorporated in their entirety.--

Foreign priority under 35 U.S.C. § 119 of _____ application(s) _____, filed _____, is hereby claimed. The certified priority paper(s):
 was/were filed in the parent case;
 is/are enclosed herewith;
 will be submitted at a later date.

The power of attorney in the prior application is to Gary M. Nath, Reg. No. 26,965; Harold L. Novick, Reg. No. 26, 011; Suet M. Chong, Reg. No. 38,104; Todd L. Juneau, Reg. No. 40,699; Patricia M. Drost, Reg. No. 29,790; Lee Heiman, Reg. No. 41,827; and Robert G. Lev, Reg. No. 30,280.

The power appears in the original papers in the prior application.

Address all future communications to:

Gary M. Nath
Nath & Associates
1030 15th Street, N.W.
Sixth Floor
Washington, D.C. 20005

Attorney Docket No. 23842

If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby

PATENT

Attorney Docket No. 23842

petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

- X The Assistant Commissioner is hereby authorized to charge any fee deficiency under 37 CFR §§ 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

Respectfully submitted,

NATH & ASSOCIATES

Date: April 8, 1999



Gary M. Nath
Reg. No. 26,965

NATH & ASSOCIATES
1030 15th Street, N.W.
Sixth Floor
Washington, D.C. 20005
Tel: (202) 775-8383
Fax: (202) 775-8396
GMN:SFY/cont.frm

aa

PATENT BOX
Attorney Docket No. 22890XX

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Alan DRIZEN et al.

Group Art Unit: 1205

Serial No. 08/796,578

Examiner: Dufor

Filed: February 6, 1997

For: TOPICAL DRUG PREPARATION

jc530 U.S. PRO
09/288238
04/08/99



TRANSMITTAL LETTER

The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Notice to File Missing Parts dated April 29, 1997;
- (2) Executed Declaration; and
- (3) Check No. 6834 in the amount of \$794 to cover the basic filing fee of \$ 729.00 plus the \$65 late surcharge;

Please charge any required fee, or credit any overpayment, in connection with this matter to deposit Account No. 14-0112.

Respectfully submitted,

By:


Gary M. Nath
Registration No. 26,965

Date: May 21, 1997
NATH & ASSOCIATES
1835 K Street N.W., Suite 750
Washington, D.C. 20006-1203
(202) 775-8383

PATENT BOX
Attorney Docket No. 22890XX

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

65/80/04
09/288238
JCE-530 U.S. PTO

In re Application of

Alan DRIZEN et al. Group Art Unit: N/A

Serial No. 08/796,578 Examiner: Dufor

Filed: February 6, 1997

For: **TOPICAL DRUG PREPARATIONS**

TRANSMITTAL LETTER

The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

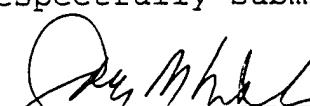
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Request for Recordation of Assignment Cover Sheet;
- (2) Executed Assignment; and
- (3) Check No. 6831 in the amount of \$40.00 to cover the cost of the government fee for recordation of Assignment.

Please charge any required fee, or credit any overpayment, in connection with this matter to deposit Account No. 14-0112.

Respectfully submitted,

By: _____


Gary M. Nath
Registration No. 26,965

Date: May 23, 1997
NATH & ASSOCIATES
1835 K Street N.W., Suite 750
Washington, D.C. 20006-1203
(202) 775-8383

NATH & ASSOCIATES

6831

DATE : May 23 1997
CHE # : 6831
AMOUNT : 40.00
ACCOUNT: GENERAL 26
PAID TO: COMMISSIONER OF PATENTS AND TRADEMARKS

22890XX

CLIENT: 2095 - LAM PHARMACEUTICALS
MATTER: 22890xx

6831

NATH & ASSOCIATES
PATENT & TRADEMARK ACCOUNT
1835 K STREET, N.W., SUITE 750
WASHINGTON, DC 20006

GEORGE MASON BANK N.A.
WASHINGTON, D.C. 20006
15-155-540

6831

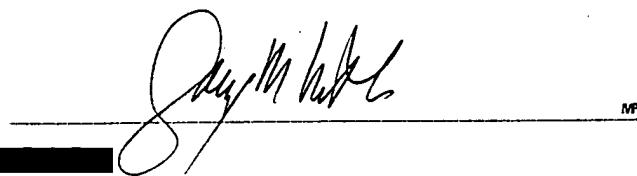
FORTY ***** 00/100 DOLLARS

DATE	AMOUNT
------	--------

May 23 1997	\$40.00
-------------	---------

PAY
TO THE
ORDER
OF
COMMISSIONER OF PATENTS AND TRADEMARKS

22890XX



MP

RECORDATION FORM COVER SHEET
PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of Conveying Party(ies):

RDN THERAPEUTICS, INC.

Additional names of conveying parties attached.

2. Name and Address of Receiving Party(ies):

Name: L.A.M. PHARMACEUTICALS, LLC

Internal Address:

Street Address: C/O SFBC
11190 Biscayne Boulevard

3. Nature of Conveyance

- Assignment Merger
 Security Agreement Change of Name
 Other:

Execution Date: April 27, 1997

City, State, Zip: Miami, Florida 33181-3405

Additional name(s) and address(es) attached.

4. (A) Patent Application Number(s):

08/796,578

4. (B) Patent Number(s):

If this document is being filed together with a new application, the execution date of the application is:
FebruaRY 6, 1997.

Additional Numbers Attached.

5. Name and Address of Party to whom Correspondence Concerning this Document Should be Mailed:

6. Total Number of Applications and Patents Involved:

1

7. Total Fee:

(37 CFR 3.41)

\$ 40.00

Enclosed.

Authorized to be charged to deposit account.

8. Deposit Account Number:

14-0112

ATTACH DUPLICATE COPY OF THIS PAGE IF PAYING BY DEPOSIT ACCOUNT.

DO NOT USE THIS SPACE

9. Statement and Signature:

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

Name of Person Signing

Gary M. Nath, Reg. No. 26,965

May 23, 1997

Date

Attorney Docket No.: 22890XX (Topical)

Total number of pages comprising cover sheet:

JC53309/288238 PTO

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION given to RDN THERAPEUTICS, INC., a corporation organized and existing under the laws of the Country Canada, hereinafter referred to as the ASSIGNORS, who is the owner of a certain improvement relating to: **TOPICAL DRUG PREPARATIONS** for which U.S. Patent Application Serial No. 08/796,578 filed February 6, 1997.

AND WHEREAS, L.A.M. PHARMACEUTICALS, LLC, a corporation organized and existing under the laws of Florida, whose post office address/business address is: 11190 Biscayne Boulevard, Miami, Florida 33181-3405, hereinafter referred to as the ASSIGNEE is desirous of acquiring hereinafter the entire right, title and interest for the United States and elsewhere throughout the world in and to said inventions and patent applications, including any and all divisions and continuations thereof, and any and all Letters Patent that may be granted thereon, including any and all renewals, reissues and prolongations thereof.

NOW, THIS WITNESSETH that for an in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, said ASSIGNOR hereby assign, sell and transfer to said ASSIGNEE, its assigns and legal representatives, the entire exclusive right, title and interest in and to said inventions and patents, for the United States and elsewhere throughout the world, said ASSIGNEE and its assigns and legal representatives to have, hold, exercise and enjoy the said invention and application, including any and all divisions and continuations thereof, and any and all Letters Patent which may be granted thereon, including any and all renewals, reissues and prolongations thereof, with all the rights, powers, privileges, and advantages in any way arising from or pertaining thereto, for and during the term or terms of any and all such Letters Patent, including any and all renewals, reissues, and prolongations thereof, for the use and benefit of said ASSIGNEE and its assigns and legal representatives in as ample and beneficial a manner to all intents and purposes as the said ASSIGNOR might or could have held and enjoyed the same, if this assignment has not been made.

AND said ASSIGNOR(S) hereby agree to execute all papers necessary to file applications in the United States and elsewhere throughout the world for said invention and to assign the same to said ASSIGNEE, or any assignee acquiring title to said invention, and to execute any other papers that may be needed in connection with filing said application and securing Letters Patent thereon.

The undersigned hereby grants Gary M. Nath, Registration No. 26,965, Irvin A. Levine, Registration No. 16,838, Suet M. Chong, Registration, No. 38,104, Richard E. Campbell, Registration No. 34,790, and Karen L. Orzechowski, Registration No. 31,621, all of Nath & Associates located at 1835 K Street, N.W., Suite 750, Washington, DC 20006-1203, the right to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

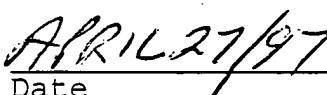
AND said ASSIGNOR(S) authorize and request the Commissioner of Patents to issue Letters Patent on said application, and on any and all divisions and continuations thereof, to said ASSIGNEE, its assigns and legal representatives, in accordance herewith.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 27th day of April 1997.

RDN THERAPEUTICS, INC.

By: _____


Alan Drizen
President


Date

jc530 U.S. PTO
09/288238
04/08/99



FILING RECEIPT

Attorney Docket No. 22890XX

Date: May 23, 1997 Attorney: GMN Fee: \$779.00

Inventors: Alan DRIZEN et al.

Serial No. 08/796,578 Filed: February 6, 1997

Title: **TOPICAL DRUG PREPARATIONS**

DOCUMENTS BEING FILED:

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- (1) Transmittal Letter;
- (2) Recordation of Assignment Cover Sheet;
- (3) Executed Assignment; and
- (4) Check No. 6831 in the amount of \$40 to cover the cost of the government filing fee for recordation.

NATH & ASSOCIATES
1835 K Street, N.W., Suite 750
Washington, D.C. 20006-1203
(202) -775-8383

FILE CHECK

Prepared by: 

Approved by: 

Copy reviewed: 

Filed by: 





FILING RECEIPT

Attorney Docket No. 22890XX

Date: May 23, 1997 Attorney: GMN Fee: \$779.00

Inventors: Alan DRIZEN et al.

Serial No. 08/796,578 Filed: February 6, 1997

Title: TOPICAL DRUG PREPARATIONS

DOCUMENTS BEING FILED:

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- (1) Transmittal Letter;
- (2) Recordation of Assignment Cover Sheet;
- (3) Executed Assignment; and
- (4) Check No. 6831 in the amount of \$40 to cover the cost of the government filing fee for recordation.

NATH & ASSOCIATES
1835 K Street, N.W., Suite 750
Washington, D.C. 20006-1203
(202) -775-8383

FILE CHECK

Prepared by: 

Approved by: 

Copy reviewed: 

Filed by: 

FILING RECEIPT



jc530 U.S.pto
09/288238
04/08/99



Attorney Docket No. 22890XX

Date: May 27, 1997

Attorney: GMN

Fee: \$794

Inventors: Alan DRIZEN et al.

Serial No. 08/796,578 Filed: February 6, 1997

Title: TOPICAL DRUG PREPARATIONS

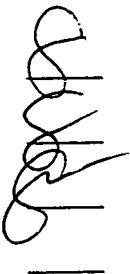
DOCUMENTS BEING FILED:

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- (1) Transmittal Letter;
- (2) Notice to File Missing Parts dated April 29, 1997;
- (3) Executed Declaration; and
- (4) Check No. 6834 in the amount of \$794.00 to cover the cost of the base application filing fee and surcharge.

NATH & ASSOCIATES
1835 K Street, N.W., Suite 750
Washington, D.C. 20006-1203
(202) -775-8383

FILE CHECK

Prepared by: 

Approved by:

Copy reviewed:

Filed by:

JC530 U.S. PTO
09/288238
04/08/99

FILING RECEIPT

Attorney Docket No. 22890XX

Date: May 27, 1997 Attorney: GMN Fee: \$794.00

Inventors: Alan DRIZEN et al.

Serial No. 08/796,578 Filed: February 6, 1997

Title: TOPICAL DRUG PREPARATIONS

DOCUMENTS BEING FILED:

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- (1) Transmittal Letter;
- (2) Notice to File Missing Parts dated April 29, 1997;
- (3) Executed Declaration; and
- (4) Check No. 6834 in the amount of \$794.00 to cover the cost of the base application filing fee and surcharge.

NATH & ASSOCIATES
1835 K Street, N.W., Suite 750
Washington, D.C. 20006-1203
(202) -775-8383

FILE CHECK

Prepared by: SS

Approved by: SS

Copy reviewed:

Filed by:

NATH & ASSOCIATES

DATE : May 27 1997
 CHE # : 6834
 AMOUNT : 794.00
 ACCOUNT: GENERAL 26
 PAID TO: THE COMMISSIONER OF PATENTS & TRADEMARKS

SERIAL# 08/796578-ALAN DRIZEN

CLIENT: 2095 - LAM PHARMACEUTICALS
 MATTER: 22890xx

6834

NATH & ASSOCIATES
 PATENT & TRADEMARK ACCOUNT
 1835 K STREET, N.W., SUITE 750
 WASHINGTON, DC 20006

GEORGE MASON BANK N.A.
 WASHINGTON, D.C. 20006
 15-155-540

6834

SEVEN HUNDRED NINETY FOUR ***** 00/100 DOLLARS

DATE	AMOUNT
------	--------

May 27 1997	\$794.00
-------------	----------

PAY
 TO THE
 ORDER
 OF
 THE COMMISSIONER OF PATENTS & TRADEMARKS

SERIAL# 08/796578-ALAN DRIZEN

#006834# 1054001550# 02028083#

MP

NATH & ASSOCIATES

6834

DATE : May 27 1997
 CHE # : 6834
 AMOUNT : 794.00
 ACCOUNT: GENERAL 26
 PAID TO: THE COMMISSIONER OF PATENTS & TRADEMARKS
 SERIAL# 08/796578-ALAN DRIZEN
 CLIENT: 2095 - LAM PHARMACEUTICALS
 MATTER: 22890xx
 LAWYER: Gary M. Nath

**** GENERAL BALANCES ****

UNBILLED DISBS:	857.34
A/R BALANCE :	15370.46

**** TRUST BALANCES ****

TRUST BALANCE :	0.00
-----------------	------